

GR 16428

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W., SUITE 600

WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE

STEVEN R. LUDWIG
JOHN M. COVERT*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
STEPHEN G. WHITESIDE
JEFFREY T. HELVEY*

HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES*
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL

TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REED
VINCENT L. CAPUANO
JOHN A. HARROUN*
MATTHEW M. CATLETT*
NATHAN K. KELLEY*
ALBERT J. FASULO II *

KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
BRIAN J. DEL BUONO**
ANDREA J. KAMAGE**
NANCY J. LEITH**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

March 22, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231



Re: U.S. Utility Patent Application
Appl. No. 09/017,715; Filed: February 3, 1998
For: **Breast Cancer Specific Gene 1**
Inventors: Ji *et al.*
Our Ref: 1488.0810003/EKS/AJK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17);
2. Associate Power of Attorney;
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. Statement Concerning the Deposited Plasmid;
5. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1)(*in duplicate*);
6. Check No. 27012 for \$870.00 to cover: \$870.00 for three month extension of time fee; and
7. One return postcard.

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TC 1600 MAIL ROOM

Assistant Commissioner for Patents
March 22, 2000
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Andrea Jo Kamage

Andrea Jo Kamage
Agent for Applicants
Registration No. 43,703

EKS/AJK/jk
Enclosures

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SKGF Rev. 9/23/98 dcw

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ji et al.

Application Serial No.: 09/017,715

Art Unit: 1642

Filed: February 3, 1998

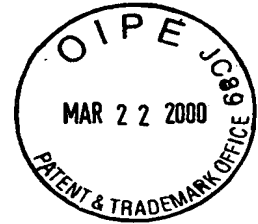
Examiner: Johnson, N.

For: Breast Cancer Specific Gene I

Atty. Docket: 1488.0810003/EKS/AJ

STATEMENT CONCERNING THE DEPOSITED PLASMID

Assistant Commissioner for Patents
Washington, D.C. 20231



Sir:

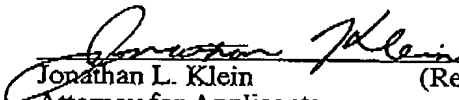
The undersigned attorney of record hereby states:

1. A plasmid containing human cDNA encoding a Breast Cancer Specific Gene I polypeptide was deposited under the terms of the Budapest Treaty on January 23, 1997 at the American Type Culture Collection (ATCC), Patent Depository, 10801 University Boulevard, Manassas, VA 20110-2209 (current address), and given accession number 97856, as evidenced by the deposit receipt attached hereto.

2. Assurance is hereby given that: (1) the deposit was made under terms of the Budapest Treaty; (2) except for the limitations allowed by 37 C.F.R. § 1.808(b), all restrictions on the availability to the public of the deposit will be irrevocably removed upon the granting of a patent from the captioned application; (3) the deposit has been made under conditions such that access to the material will be available during the pendency of the captioned patent application to one determined by the Commissioner; and (4) the deposit will be maintained with the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

Respectfully submitted,

Date: MARCH 22, 2000


Jonathan L. Klein (Reg. No. 41,119)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (301) 251-6015